

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
AVALON HOLDINGS CORP.,

Plaintiff,

– against –

GUY GENTILE, et al.,

Defendants.
-----X

Case No. 18-cv-7291 (DLC) (RWL)

NEW CONCEPT ENERGY, INC.,

Plaintiff,

– against –

GUY GENTILE, et al.,

Defendants.
-----X

Case No. 18-cv-8896 (DLC) (RWL)

**DECLARATION OF ADAM C. FORD IN SUPPORT OF NON-PARTY SUBPOENA
RECIPIENT FORD O'BRIEN LANDY LLP'S MOTION TO IMPOSE SANCTIONS**

I, Adam C. Ford of Ford O'Brien Landy LLP, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney duly licensed to practice in the State of New York. I am a partner with the law firm, Ford O'Brien Landy LLP.

2. I have personal knowledge of the facts below.

3. I respectfully submit this declaration in support of non-party subpoena recipient Ford O'Brien Landy's Memorandum of Law in support of its Motion for Sanctions

4. A true and correct copy of ECF No. 303 from *Sec. & Exch. Comm'n v. Mintbroker Int'l Ltd.*, Case No. 1:21-cv-21079 (S.D. Fla.), dated June 24, 2024 (and confirming the trial testimony of Guy Gentile on that date) is attached hereto as Exhibit 1.

5. A true and correct copy of ECF No. 305 from *Sec. & Exch. Comm'n v. Mintbroker Int'l Ltd.*, Case No. 1:21-cv-21079 (S.D. Fla.), dated June 25, 2024 (and confirming the trial testimony of Guy Gentile on that date) is attached hereto as Exhibit 2.

6. A true and correct copy of ECF No. 307 from *Sec. & Exch. Comm'n v. Mintbroker Int'l Ltd.*, Case No. 1:21-cv-21079 (S.D. Fla.), dated June 27, 2024 (and confirming the trial testimony of Guy Gentile on that date) is attached hereto as Exhibit 3.

7. A true and correct copy of ECF No. 294 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated May 8, 2024, is attached hereto as Exhibit 4.

8. A true and correct copy of ECF No. 306 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated June 4, 2024, is attached hereto as Exhibit 5.

9. A true and correct copy of ECF No. 329 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated August 14, 2024, is attached hereto as Exhibit 6.

10. A true and correct copy of ECF No. 24 from *Sec. & Exch. Comm'n v. Mintbroker Int'l Ltd.*, Case No. 1:21-cv-21079 (S.D. Fla.), dated August 14, 2024, is attached hereto as Exhibit 7.

11. A true and correct copy of ECF No. 286 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated May 2, 2024, is attached hereto as Exhibit 8.

12. A true and correct copy of ECF No. 321-2 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated May 30, 2024 (and filed with the Court on July 8, 2024), is attached hereto as Exhibit 9.

13. A true and correct copy of ECF No. 314 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated July 2, 2024, is attached hereto as Exhibit 10.

14. A true and correct copy of ECF No. 297 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated May 15, 2024, is attached hereto as Exhibit 11.

15. A true and correct copy of ECF No. 331 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated August 16, 2024, is attached hereto as Exhibit 12.

16. A true and correct copy of ECF No. 334 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated August 30, 2024, is attached hereto as Exhibit 13.

17. A true and correct copy of ECF No. 354 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated February 19, 2025 (transcript of hearing held on July 23, 2024), is attached hereto as Exhibit 14.

18. A true and correct copy of ECF No. 332 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated August 22, 2024, is attached hereto as Exhibit 15.

19. A true and correct copy of ECF No. 344-2 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated July 26, 2024 (and filed with the Court on September 24, 2024), is attached hereto as Exhibit 16.

20. A true and correct copy of ECF No. 343 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated September 24, 2024, is attached hereto as Exhibit 17.

21. A true and correct copy of ECF No. 41.1 from *Avalon Holdings Corp. v. Gentile*, Case No. 24-999 (2d Cir.), dated October 15, 2024, is attached hereto as Exhibit 18.

22. A true and correct copy of ECF No. 333 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated August 29, 2024, is attached hereto as Exhibit 19.

23. A true and correct copy of ECF No. 336 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated September 8, 2024, is attached hereto as Exhibit 20.

24. A true and correct copy of ECF No. 336-1 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated September 8, 2024, is attached hereto as Exhibit 21.

25. A true and correct copy of ECF No. 335 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated September 7, 2024, is attached hereto as Exhibit 22.

26. A true and correct copy of ECF No. 341 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated September 20, 2024, is attached hereto as Exhibit 23.

27. A true and correct copy of David Lopez's letter to Nicholas Abadiotakis, dated March 17, 2025, is attached hereto as Exhibit 24.

28. A true and correct copy of Miriam Tauber's purported "Restraining Notice With Information Subpoena" and two subpoenas duces tecum to Nicholas Abadiotakis, dated July 19, 2024, is attached hereto as Exhibit 25.

29. A true and correct copy of ECF No. 4 from *Sec. & Exch. Comm'n v. MintBroker International, Ltd. et al*, case No. 1:24-mc-23709 (S.D. Fla.), dated September 27, 2024, is attached hereto as Exhibit 26.

30. A true and correct copy of ECF No. 350 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated December 18, 2024, is attached hereto as Exhibit 27.

31. A true and correct copy of emails between Adam Ford, Miriam Tauber, and David Lopez, dated July 21-22, 2024, is attached hereto as Exhibit 28.

32. A true and correct copy of ECF No. 386 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated July 23, 2025, is attached hereto as Exhibit 29.

33. A true and correct copy of ECF No. 390 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated July 25, 2025, is attached hereto as Exhibit 30.

34. A true and correct copy of ECF No. 391 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated August 7, 2025, is attached hereto as Exhibit 31.

35. A true and correct copy of ECF No. 46.1 from *Avalon Holdings Corp. v. Gentile*, Case No. 24-999 (2d Cir.), dated February 24, 2025, is attached hereto as Exhibit 32.

36. A true and correct copy of emails between Adam Ford, Miriam Tauber, and David Lopez, dated July 24, 2025, is attached hereto as Exhibit 33.

37. A true and correct copy of N.Y. Comp. Codes R & Regs. Tit. 22, § 1200.0, Rule 3.4(e) is attached hereto as Exhibit 34.

38. A true and correct copy of David Lopez's email to Adam Ford, dated August 11, 2025, is attached hereto as Exhibit 35.

39. A true and correct copy of ECF No. 18 from *Avalon Holdings Corp. v. Gentile*, Case No. 18-cv-7291 (S.D.N.Y.), dated September 21, 2018 (and filed with the Court on September 26, 2018), is attached hereto as Exhibit 36.

40. A true and correct copy of ECF No. 67.1 from *Avalon Holdings Corp. v. Gentile*, Case No. 24-999 (2d Cir.), dated August 7, 2025, is attached hereto as Exhibit 37.

Dated: August 14, 2025
New York, NY

Respectfully submitted,

FORD O'BRIEN LANDY LLP

/s/ Adam C. Ford

Adam C. Ford, Esq.
275 Madison Avenue, 24th Floor
New York, NY 10016
Tel.: (212) 858-0040 (main)
Fax: (212) 256-1047
aford@fordobrien.com